



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456



September 11, 2002

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. WMD 02-31

Datagraphic
P.O. Box 2347
Peachtree City, GA 30269-2347

Attn: Mr. Casey Campbell, President

Re: Datagraphic
Jaffrey, New Hampshire
EPA ID # NHD510115264

Dear Mr. Campbell:

On June 26, 2002, the Department of Environmental Services (DES) conducted an inspection of Datagraphic, located on 45 Knight Street, in Jaffrey, New Hampshire. The purpose of the inspection was to determine Datagraphic's compliance status with RSA 147-A and its implementing regulations, the New Hampshire Hazardous Waste Rules (codified as Env-Wm 100-1100).

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

1 Env-Wm 502.01 – Hazardous Waste Determination

At the time of the inspection, DES confirmed that Datagraphic had not performed hazardous waste determinations for the waste fluorescent lamps and cathode ray tubes generated at the facility. DES also verified that the above-listed wastes were routinely disposed of in the facility dumpster.

Env-Wm 502.01 requires a generator of a waste to determine if their waste is a hazardous waste.

DES requests that Datagraphic test representative samples of the waste fluorescent lamps and cathode ray tubes for the characteristic of toxicity as defined in Env-Wm 403.06. These analyses should include, at a minimum, RCRA metals, using the Toxicity Characteristic Leaching Procedure (TCLP) Method 1311 found in Test Methods for Evaluating Solid Wastes, SW-846.

Please be advised that waste determinations may also be demonstrated by Datagraphic using knowledge of the hazardous waste constituents or characteristics of the waste, based on the materials or processes used to generate the waste.

Alternatively, Datagraphic may elect to manage waste lamps and cathode ray tubes as "universal waste" in accordance with Env-Wm 1100. Enclosed please find the DES Environmental Fact Sheets #WMD-HW-7 "Universal Waste Lamps: Management Requirements for Handlers and Transporters", #WMD-HW-25 "Proper Management of Cathode Ray Tubes from Computer Monitors and Televisions", a DES "Fluorescent Lamp and Ballast Recycling Facility" list, as well as a DES "Vendors for Computer Recycling" list to aid you with the determinations.

2. Env-Wm 504.02(d) & (e) - Generator Notification

Current DES notification records do not reflect necessary updates for the following information

- A. Changes in waste streams (hazardous waste solvent, universal waste lamps and cathode ray tubes) generated at Datagraphic; and
- B. Changes in company ownership (to Printegra).

Env-Wm 504.02(d) requires generators to notify DES verbally, or in writing of any changes to the type, estimated quantity generated per month, and the EPA/NH hazardous waste number of waste streams generated within 30 days of the effective date of the change. Env-Wm 504.02(e) further requires changes in company ownership to be made using a New Hampshire Notification Form within 30 days of the effective date of the change.

DES requests that Datagraphic complete and submit the enclosed subsequent New Hampshire Notification Form in order to accurately reflect the changes identified above.

3 Env-Wm 510.02(d) - Manifest Distribution

At the time of the inspection, DES inspectors confirmed that, for the time period from January 1, 2000 until June 26, 2002, Datagraphic had not:

- A) Retained one (1) signed copy of each hazardous waste manifest on file at the facility [total of eleven (11) manifests]; and
- B) Submitted one (1) signed copy of each hazardous waste manifest to DES within five (5) days of each shipment [total of eleven (11) manifests].

Env-Wm 510.02(d) requires that the generator retain one (1) copy of the manifest, give five (5) copies to the transporter, and forward one (1) copy to the destination state and one (1) copy to DES within five (5) days of shipment.

DES requests that Datagraphic properly retain and distribute manifest copies for future shipments of hazardous waste.

The June 26, 2002 inspection revealed that Datagraphic generates contaminated wipers from the maintenance of printing machines. According to facility representatives, the wipers are collected for laundering by an outside contractor (Alltex). Inspectors observed Datagraphic's storage of contaminated wipers in five (5) collection containers and one (1) consolidation container located throughout the facility. At the time of inspection, the collection containers were closed, however, the consolidation container was observed open and all containers were not marked with the words "Contaminated Wipers for Laundering." Contaminated wipers generated by Datagraphic are subject to the DES "Contaminated Cloth Wipers for Laundering" Fact Sheet (WMD- HW-6). However, the before-mentioned management practices are inconsistent with the established policy. Therefore, DES recommends that Datagraphic amend the current contaminated wiper management and storage practices to establish full compliance. Please submit documentation of full compliance with the DES "Contaminated Cloth Wipers for Laundering" Policy.

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by Datagraphic can be submitted within thirty (30) days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Datagraphic, including issuing an order requiring that deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may reinspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Kenneth W. Marschner, Administrator
DES/WMD
6 Hazen Drive
Concord, New Hampshire 03301-6509

Enclosed you will find a copy of the completed Hazardous Waste Generator RCRA Inspection Checklist which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

A current, full set of the State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff are available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Sharon Ducharme of DES's Water Division at 271-3307, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,



Kenneth W. Marschner, Administrator
Waste Management Programs
Waste Management Division

CERTIFIED MAIL RRR# 7099 3400 0002 9773 1274

cc: DB/RCRA/LOD/Archives
Philip J. O'Brien, Ph.D., Director, WMD
Gretchen Rule, Administrator, DES Legal Unit
Michael Baron, General Manager, Datagraphic

E-mail: JJD/SD/SD/PM

Enclosure: Inspection Checklist
New Hampshire Notification Form
NHDES Environmental Fact Sheet #WMD-HW-7 "Universal Waste Lamps: Management...."
NHDES Environmental Fact Sheet #WMD-HW-25 "Proper Management of Cathode Ray Tubes"
NHDES Environmental Fact Sheet #WMD-HW-6 "Contaminated Cloth Wipers for Laundering"
NHDES list of "Fluorescent Lamp and Ballast Recycling Facilities"
NHDES list of "Vendors for Computer Recycling"